REMARKS

The present application includes pending claims 16-47, all of which have been rejected. By this Amendment, claims 16 and 32 have been amended.

Claims 16, 20-23, 25, 27, 29-32, 36-39, 41, 43 and 45-57 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 7,237,029 ("Hino"). Claims 19 and 35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino. Claims 17-18, 26, 28, 33-34, 42 and 44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 2004/00030501 ("Krz"). Claims 24 and 40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 6,363,434 ("Eytchison"). The Applicants respectfully traverse these rejections for at least the following reasons:

I.   **Hino Does Not Anticipate Claims 16, 20-23, 25, 27, 29-32, 36-39, 41, 43 And 45-57**

The Applicants first turn to the rejection of claims 16, 20-23, 25, 27, 29-32, 36-39, 41, 43 and 45-57 as being anticipated by Hino. Independent claim 16 recites, in part, "A method for **automatically monitoring** at least one media peripheral via a communication network, the method comprising... **automatically determining authorization for monitoring** of the at least one media peripheral...." Independent claim 32 recites, in part, "One or more circuits for a media processing system supporting **automatic monitoring** of at least one media peripheral via a communication network, the one or more circuits comprising: one or more processors communicatively coupled to the communication network, the one or more processors operable to, at least... **automatically determine authorization for monitoring** of the at least one media peripheral."

Hino "relates to a remote **control** system for **controlling home appliances** from outside the home and a gateway apparatus used for the remote control system, and in particular, to the system and apparatus capable of controlling the home appliances from outside the home with easier operation." Hino at column 1, lines 7-12 (emphasis added). The gateway apparatus "includes means for acquiring appliance panel

8

information indicating panel parts of the appliance and an operational range of the panel parts, and means for memorizing gateway apparatus information indicating whether a control command input to the appliance through a network built outside the home." *Id.* at Abstract. Additionally, the gateway apparatus "further includes means for determining whether or not it is possible to accept the input by making reference to the gateway apparatus information when the control command input is received through the outside network and for producing a control command to the appliance based on the appliance panel information when the acceptance is possible." *Id.* at Abstract. In general, Hino discloses a system that "makes it possible to perform remote control in a similar feeling obtained in operating a front panel of an actual home appliance." *Id.* at Abstract. That is, an operator may control a home appliance remotely.

With respect to the rejection of independent claims 16 and 32, the Office Action cites Hino at column 2, lines 37-44 as disclosing a "method for automatically monitoring at least one media peripheral via a communication network," as recited, for example, in claim 16. *See* October 12, 2007 Office Action at page 2 and July 25, 2007 Office Action at page 2. This portion of Hino states, however, the following:

> The present invention has been made with consideration of the above problems faced by the conventional techniques, and an object of the present invention is to provide, with higher reliability and easier operations, a **remote control system** capable of **controlling home appliances through a network connected to the home.** Also a further object of the present invention is to provide a gateway apparatus for realizing the above remote control system.

Hino at column 2, lines 37-44 (emphasis added). This portion of Hino clearly sets forth a "remote control system" configured to control home appliances. There is nothing in this portion of Hino, however, that describes, teaches or suggests "**monitoring,**" as opposed to controlling, "at least one media peripheral via a communication network," as recited in claims 16 and 32. Further, there is nothing in this portion of Hino that describes, teaches or suggests the control of home appliances being **automatic.** Thus, for at least this reason, the Office Action has not established a *prima facie* case of

anticipation with respect to the pending claims because the portion of Hino relied on to disclose the above limitations does not, in fact, describe, teach or suggest the relevant limitations.

Claim 16 has been amended to recite "automatically identifying **by a first system, at a first location**, the at least one media peripheral **communicatively coupled** to a second system, the second system at a second location**." Claim 32 has been amended in a similar fashion. The Applicants respectfully submit that Hino does not describe, teach or suggest this limitation. Thus, for at least this reason, Hino does not anticipate the pending claims.

Next, the Office Action cites Hino at column 8, lines 12-14 and 22-25 as disclosing "automatically establishing a communication link between the first system and the at least one media peripheral," as recited, for example, in claim 16. *See* October 12, 2007 Office Action at page 3 and July 25, 2007 Office Action at page 3. This portion of Hino, however, states the following:

> When receiving **an input** of the control command toward the specified home appliance from the control device 60 or the outside network 50 (step 4), the appliance control command producing means 11 in the GW apparatus 10 determines if or not the control command is possible to be accepted on the basis of the GW apparatus information memorized by the GW apparatus information memorizing means 13.

> In the case that the acceptance is impossible, the producing means rejects the control command (step 8). On the other hand, if the acceptance is possible, the appliance control command producing means 11 produces a control command (step 6), and the command outputting means 14 outputs the produced control command (step 7).

Hino at column 8, lines 12-25. There is nothing in this passage of Hino, however, that describes, teaches or suggests "**automatically** establishing a **communication link** between a first system and at least one media peripheral." Instead, this passage discloses that after a **control command is input by a user**, the GW apparatus determines whether that control command is acceptable based on stored apparatus

information. If the acceptance is impossible, the control command is rejected. If possible, however, the control command is executed. Nevertheless, a user has to manually **input** a control command, and that input, by definition, is not automatic. Thus, for at least this reason, the Office Action has not established a *prima facie* case of anticipation with respect to the pending claims because the portion of Hino relied on to disclose "<u>**automatically**</u> establishing a **communication link** between a first system and at least one media peripheral," does not in fact, describe, teach or suggest the relevant limitations.

Next, the Office Action cites Hino at column 19, lines 4-10 and 21-22 as disclosing "automatically determining authorization for monitoring of the at least one media peripheral," as recited, for example, in claim 16. *See* October 12, 2007 Office Action at page 3 and July 25, 2007 Office Action at page 3. This portion of Hino, however, states the following:

> Further, the information about terminal identification data includes the number of a cellular phone or the ID of a terminal. The user identification information can be set by making use of authentication information at a terminal with an authentication function or information that proves authentication on authentication service.
>
> <center>* * *</center>
>
> In short, any information can be used in the GW apparatus, as long as the information serves as data to identify inputted information in determining whether or not **it is possible to produce a command.**

Hino at column 19, lines 4-10 and 19-22 (emphasis added). This passage of Hino does not describe, teach or suggest "<u>**automatically**</u> **determining authorization for monitoring** of the at least one media peripheral." Instead, this passage merely discloses that user identification information can be set by actively selecting authentication information at a terminal (as opposed to **automatically** determining). Further, any information may be used to determine whether it is possible to **produce a command** (as opposed to determining authorization for monitoring). Thus, for at least this reason, the Office Action has not established a *prima facie* case of anticipation with

respect to the pending claims because the portion of Hino relied on to disclose "**automatically determining authorization for monitoring** of the at least one media peripheral," does not in fact, describe, teach or suggest the relevant limitations.

Next, the Office Action cites Hino at column 9, lines 13-18 and column 8, lines 14-25 as disclosing "automatically monitoring, by the first system, at least one status parameter of the at least one media peripheral, if the authorization is successful." *See* October 12, 2007 Office Action at page 3 and July 25, 2007 Office Action at page 3. Hino states, however, the following:

> The GW apparatus can be used as a central **controller** in a factory or an office, in which, **through the keyboard of the GW apparatus, a request** for panel information about appliances, such **as air conditioners, lighting fixtures, and doors**, is issued to monitor the present status of the panel of each appliance on a monitor, or a command is issued to control the operation of air conditioners, the turning lighting fixtures on or off, the open/close of doors, and others.

Hino at column 9, lines 11-18. Initially, the Applicants note that "air conditioners, lighting fixtures, and doors" are not media peripherals. Even assuming Hino was directed to media peripherals, this passage does not disclose that they are automatically monitored. Rather, this passage explicitly states that a user must actively, through the keyboard, input a request for panel information.

Hino also discloses the following:

> When receiving **an input** of the control command toward the specified home appliance from the control device 60 or the outside network 50 (step 4), the appliance control command producing means 11 in the GW apparatus 10 determines if or not the control command is possible to be accepted on the basis of the GW apparatus information memorized by the GW apparatus information memorizing means 13.

> In the case that the acceptance is impossible, the producing means rejects the control command (step 8). On the other hand, if the acceptance is possible, the appliance control command producing means 11 produces a control command

> (step 6), and the command outputting means 14 outputs the
> produced control command (step 7).

Hino at column 8, lines 12-25. There is nothing in this passage of Hino (which the Office Action relies on, as noted above) that describes, teaches or suggests "**automatically** monitoring, by the first system, at least one status parameter of the at least one media peripheral, if the authorization is successful," as recited in claim 16. Instead, this passage discloses that after a **control command** is **input** by a user, the GW apparatus determines whether that control command is acceptable based on stored apparatus information. If the acceptance is impossible, the control command is rejected. If possible, however, the control command is executed. Thus, this passage of Hino relates to whether a control request actively input by a user is accepted or rejected, but does not describe, teach or suggest "automatically monitoring" a "status parameter of the at least one media peripheral, if authorization is successful." Thus, for at least this reason, the Office Action has not established a *prima facie* case of anticipation with respect to the pending claims because the portion of Hino relied on to disclose "**automatically** monitoring, by the first system, at least one status parameter of the at least one media peripheral, if the authorization is successful," does not in fact, describe, teach or suggest the relevant limitations.

The Office Action also cites Hino at column 8, lines 20-25 as disclosing "automatically responding, by the first system, to a state of the at least one status parameter, if the authorization is successful; and automatically not monitoring and not responding to a state of the at least one status parameter, if the authorization is not successful." *See* October 12, 2007 Office Action at page 3 and July 25, 2007 Office Action at page 3. Again, however, as shown above, Hino at column 8, lines 12-25 does not relate to "**automatically** monitoring."

In response, the Office Action states the following:

> The applicant argues that the Hino reference does not
> disclose (a) monitoring a perherial [sic] and at least one
> status parameter and (b) automatically establishing a

> communication link between the first system and the
> peripheral.

See October 12, 2007 Office Action at page 9. As clearly shown above, however, the Applicants establish that Hino does not describe, teach or suggest the following:

- A method for **automatically** **monitoring** at least one media peripheral via a communication network;

- **automatically** establishing a **communication link** between a first system and at least one media peripheral;

- **automatically** **determining authorization for monitoring** of the at least one media peripheral; and

- **automatically** **monitoring**, by the first system, at least one status parameter of the at least one media peripheral, if the authorization is successful.

Moreover, the portions of Hino that the Office Action relies on as disclosing these limitations do not, in fact, disclose the relevant limitations, as demonstrated above. Thus, the Office Action has failed to establish a *prima facie* case of anticipation with respect to the pending claims.

The Office Action also cites Hino at column 6, lines 48-51 and column 8, lines 1-25 as disclosing "automatically establishing a communication link between the first system and the peripheral," but does not offer support for the additional limitations noted above. *See* October 12, 2007 Office Action at pages 9-10.

Hino at column 6, lines 48-51 states the following:

> 50 and acting as a mediator between communication
> protocols employed by them, and a control device 60 used
> for directly inputting control commands into the GW
> apparatus 10 with no network routed.

This portion of Hino merely discloses that the control device 60 is used to "directly input" control commands. It does not describe that such control commands are **automatically** input. Indeed, even column 8, lines 1-25, which the Office Action cites in an attempt to bolster its argument, clearly and unambiguously states that a user manually inputs control commands.

14

In particular, Hino states the following:

> When receiving the panel information acquiring request, the
> GW apparatus supplies to the request sender information
> about the appliance panel information table (FIG. 3) of a
> specified home appliance. One screen of a monitor at
> the request sender, as exemplified in FIG. 7, a GUI
> illustrating panel parts which are present in the control panel
> of the specified home appliance is displayed, though some
> GUIs are shown in slightly different forms from the actual
> panel parts. A **user** operates the GUI on the screen, so that
> a **control command** that corresponds to the operation is
> sent to the GW apparatus 10.
>
> When receiving **an input of the control command** toward
> the specified home appliance from the control device 60 or
> the outside network 50 (step 4), the appliance control
> command producing means 11 in the GW apparatus 10
> determines if or not the control command is possible to be
> accepted on the basis of the GW apparatus information
> memorized by the GW apparatus information memorizing
> means 13.
>
> In the case that the acceptance is impossible, the producing
> means rejects the control command (step 8). On the other
> hand, if the acceptance is possible, the appliance control
> command producing means 11 produces a control command
> (step 6), and the command outputting means 14 outputs the
> produced control command (step 7).

Hino at column 8, lines 1-25 (emphasis added). There simply is nothing in this passage
of Hino (which the Office Action relies on, as noted above) that describes, teaches or
suggests "__automatically__ **establishing** a communication link between the first system
and the at least one peripheral," as recited in claim 16. Instead, this passage discloses
that after a **control command** is **input** by a user, the GW apparatus determines
whether that control command is acceptable based on stored apparatus information. If
the acceptance is impossible, the control command is rejected. If possible, however,
the control command is executed. Thus, this passage of Hino relates to whether a
control request actively input by a user is accepted or rejected. Thus, for at least this

reason, the Office Action has not established a *prima facie* case of anticipation with respect to the pending claims because the portions of Hino relied on to disclose "**automatically** establishing a communication link between the first system and the at least one media peripheral," do not in fact, describe, teach or suggest the relevant limitations.

For at least the reasons discussed above, the Office Action has not established a *prima facie* case of anticipation with respect to independent claims 16, 32 or any of the claims that depend therefrom. Thus, the Applicants respectfully request reconsideration of these claim rejections.

II. The Proposed Combinations Of References Do Not Render Claims 17-19, 24, 26, 28, 33-35, 40, 42 And 44 Unpatentable

The Applicants respectfully submit that Hino does not render claims 19 and 35 unpatentable for at least the reasons discussed above. Additionally, the proposed combination of Hino and Krz does not render claims 17-18, 26, 28, 33-34, 42 and 44 for at least the reasons discussed above. Further, the proposed combination of Hino and Eytchison does not render claims 24 and 40 unpatentable for at least the reasons discussed above.

III. Conclusion

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in an Examiner's Answer to an Appeal Brief).

The Applicants respectfully submit that a *prima facie* case of anticipation and/or obviousness has not been established with respect to any of the pending claims for at least the reasons discussed above and request reconsideration of the claim rejections. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for Applicants.

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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